



MEMORANDUM

TO: Mayor and Council

FROM: Don Bland, Chief Animal Services Officer *Don Bland*
Austin Animal Services

DATE: October 20, 2021

SUBJECT: Overview of License Agreement for Town Lake Animal Center

The purpose of this memorandum is to provide an overview and current status of the license agreement between the City of Austin and Austin Pets Alive (APA) for the use of the Town Lake Animal Center (TLAC).

Background

In March 2010, the City decided to build a new animal shelter citing, among other issues, significant land use constraints of the existing TLAC site, including its location in a 100-year flood plain. On March 11, 2010, the City Council approved [Resolution 20100311-021](#) which formally adopted the City's No Kill Implementation Plan. On June 23, 2011, Council adopted resolution [20110623-096](#), this resolution included a commitment to keep TLAC open as an adoption center to serve as a safety net. The resolution also noted that allowing a non-profit to operate the TLAC site as an adoption center was critical to maintaining a 90% live outcome rate. The criteria in the resolution for the selected non-profit would be the following:

1. Ensure that the City of Austin stays at a 90% live-outcome rate by focusing primarily on the adoption of animals from the City's "at-risk list" (meaning that all other groups have passed on them) so as to complement rather than be redundant with City services.
2. Use the facility only for animals that come from the City shelter in order to directly impact the City's live-outcome rate.
3. Be committed to multiple, full-time off-site adoptions for City animals.
4. Occupy and use the facility immediately for adoptions only upon the City's evacuation of the facility to prevent an increase in euthanasia at the new site.
5. Be wholly committed to Austin's No Kill Implementation Plan and the 90% live-outcome goal.
6. Work with the City's Animal Services Office to develop and implement additional life-saving programs;

In spring of 2011, APA approached and negotiated an agreement with the City to utilize the TLAC facility for a one-year period while APA found a replacement for their lost lease. The current agreement, which expires November 23, 2021, was developed to serve two purposes:

- 1) to contribute to the City of Austin's goal to maintain Austin's No Kill status; and
- 2) to provide an avenue for a non-profit to use a City resource in exchange for a public benefit.

The Animal Services Office has successfully maintained and exceeded the Council's mandated live exit rate percentage.

APA has been operating at TLAC since 2011 when the first license agreement was negotiated and implemented. The agreement stipulates that, in lieu of paying an annual license fee (approximately \$2 million), APA is required to pull at least 3,000 companion animals from the City of Austin's Animal Center (AAC) per year, or 12 percent of the total animals taken in by the AAC from the previous year. Within this agreed-upon number of animals, APA also would pull animals from the following categories of animals:

- All treatable parvo puppies and bottle kittens (neonates)
- All small dogs at risk of euthanasia
- At least five behaviorally challenged, large dogs per month

APA may also pull animals from within the Austin Metropolitan Service Area (MSA) which includes the five-county region of central Texas and those animals would be allowed to be housed at TLAC. Per the agreement, animals from outside the five-county region cannot be housed at TLAC without approval from the City's Chief Animal Services Officer. The Chief Animal Services Officer has the authority to allow animals from outside of the MSA to be housed at TLAC for up to 21 days in emergency situations such as weather-related events.

Performance

The City assigns an animal identification number (A#) for animals impounded into the AAC and uses this identification number to track the quantity of animals that are transferred to APA. The following chart represents the number of animals transferred from AAC to APA since fiscal year 2014, including AAC's intake of cats and dogs:

Fiscal Year	AAC Intake	Transfers to APA
2014	17,202	3,426
2015	17,625	3,395
2016	16,797	3,003
2017	16,607	2,631
2018	15,768	2,502
2019	18,250	3,393
2020	10,943	1,749
2021	10,204	1,606

Over the last several years, there has been a decline in the number of animals being pulled from AAC. The City's average cost of caring for an animal is an estimated \$43 per day. When an animal is transferred from AAC to a rescue organization, that cost is no longer incurred by the City. This Austin taxpayer benefit is the foundation for the City's agreement with the APA.

Additionally, to maintain a No Kill status, the City must ensure adoptions, foster, and rescue/transport are in place to maintain a high percentage of live outcomes. Fortunately, despite the decline in transfers to APA, the City has maintained its No Kill status because of staff innovation, increased fosters and additional partnerships with other rescue organizations.

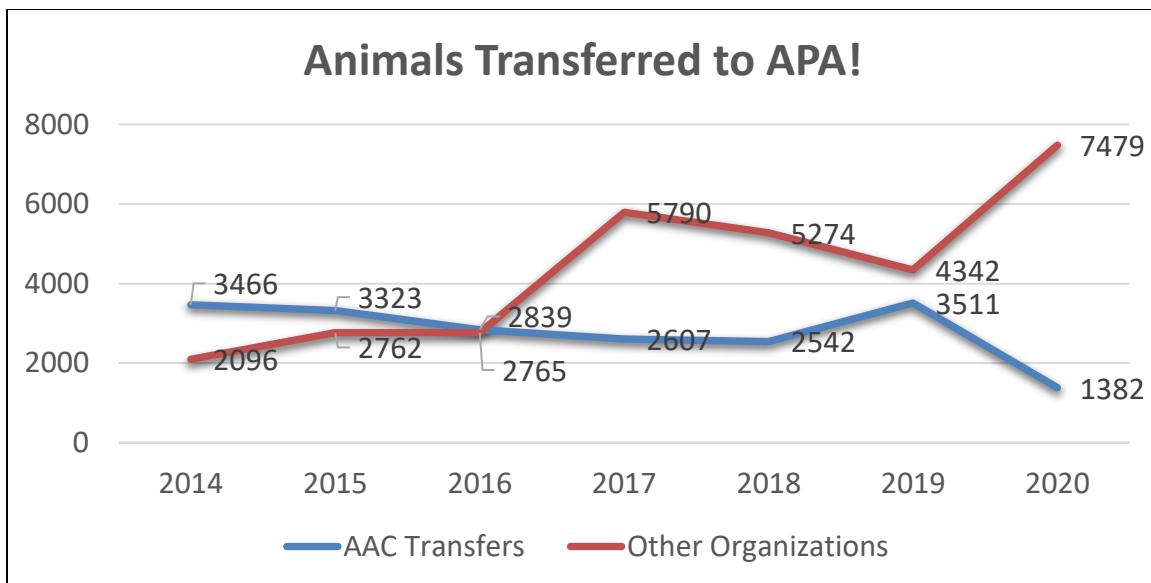
Trends

In comparison to previous years, AAC experienced a decrease in intakes in Fiscal Year 2020 and Fiscal Year 2021. For both years, we attribute the low intake numbers to the pandemic. As life begins to return to some sense of normalcy, shelters around the region are seeing an increase in intakes. Based on the data we have from June 2021 – August 2021, staff is already beginning to experience the increase in intakes. We anticipate we will see an increase in intakes similar to Fiscal Year 2019 where our intake numbers were very high.

Looking Ahead: Capacity Challenges

In January 2021, during conversations between the AAC and APA behavior teams, the APA team informed City staff that they did not have the capacity to pull any AAC behavior dogs into their facility because they were full of behavior dogs pulled from other organizations.

The graph below is from APA's 2020 Annual Report and reflects APA's overall calendar year intake from AAC versus animals transferred from other organizations. Although animals transferred from AAC declined significantly, animals transferred to APA from other organizations increased significantly. When APA transfers and houses animals from other organizations at TLAC, the likelihood of transferring an animal from AAC declines, thereby negating one of the primary purposes for allowing APA to use the facility.



Over the last four years, City staff have been in regular negotiations with APA to amend the license agreement and allow APA to renovate the TLAC. Discussions primarily centered around the layout of the property and site constraints to construct a new shelter. City staff from relevant departments have been participating in the conversations to ensure the best possible outcome for the community. In April 2021, APA communicated that they were interested in changing key terms of the existing agreement to:

1. Change the number and type of animals pulled from the AAC; and
2. Allow APA the ability to shelter animals from outside of the five-county region at the TLAC.

Supporting this proposal would undermine the benefit to local taxpayers and jeopardize the City's No Kill status. As an open intake no-kill status facility, AAC is almost always at capacity. However, it is with steady adoptions, reliance on foster and rescue pulls that help operations. For each animal that APA does not pull from AAC, the City will need to find other options at a cost to our local taxpayers.

APA is a valued partner and the partnership and work by APA and AAC created a solid foundation for our No Kill community. Any amendments to the agreement should benefit all members of the community and the City. Animal Services is committed to maintaining No Kill and all policy mandates while finding new, innovative ways engage our community and to protect our pet companions. If the City and APA were to end the license agreement, the City would likely move into the Davenport building and develop a satellite adoption facility in order to be in compliance with previous Council direction.

cc: Spencer Cronk, City Manager
Ann Morgan, Deputy City Manager
Stephanie Hayden-Howard, Assistant City Manager
Deborah Thomas, Interim City Attorney
Michael Gates, Interim Real Estate Officer
Animal Advisory Commission